

STATE OF MAINE
UTILITIES COMMISSION

Docket No.98-722
October 6, 1998

CENTRAL MAINE POWER COMPANY
v. JEANNE DYER
Appeal of Consumer Assistance
Division Decision, 1998-6006
Regarding Central Maine Power

ORDER ON APPEAL

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

I. SUMMARY

In this Order we uphold the Consumer Assistance Division's decision requiring Central Maine Power, (CMP), customer Jeanne Dyer¹ to comply with the payment arrangement she made with CMP in July 1998.

II. BACKGROUND

Ms. Dyer established an account with CMP on March 25, 1998. Ms. Dyer failed to pay anything on her account for the months of March, April, and May. On July 11, 1998, Ms. Dyer entered into a payment arrangement with CMP agreeing to pay \$80.00 that day and her current bill each month plus \$107.00 towards her balance then due of \$370.94.

On September 2, 1998, Ms. Dyer complained to the Consumer Assistance Division (CAD) that CMP was threatening disconnection unless she paid \$298.26 to repair her broken payment arrangement. Ms. Dyer asked that the arrangement be renegotiated. Ms. Dyer had failed to comply with the payment arrangement in July and August. The total amount owed as a September 4, 1998 was \$639.73 (for service through of 8-14-98).

The Consumer Assistance Division issued its decision on September 10, 1998. CAD upheld the current arrangement as reasonable. To repair the arrangement, Ms. Dyer owed \$532.21 by September 18, 1998. CMP agreed to accept \$400.00 by that date to avoid disconnection.

On September 19, 1998, Ms. Dyer appealed CAD's decision to the Commission. Ms. Dyer claims that her ex-husband's payment history should not be a considered in establishing her

¹Ms. Dyer signed the Appeal letter as "Jeanne Lee." Since the original complaint was under the name Jeanne Dyer, as was the CMP account, we will use that name throughout this Order.

arrangement. Ms. Dyer asks that the arrangement be changed so she can pay a smaller amount.

III. DECISION

CAD considered Ms. Dyer's (not her husband's) payment history in upholding the arrangement. Since March, Ms. Dyer accumulated an account balance of \$639.73 (as of 8-14-98) and made only two payments: \$80.00 to avoid disconnection in July 11, 1998 and another payment of \$50.00 in September. CAD correctly looked at this payment history, as well as Ms. Dyer's ability to pay and the requirements of the Commissions' rules in upholding the arrangement. We find CAD's decision to be reasonable and we will not investigate this matter further.

Dated at Augusta, Maine this 6th day of October, 1998.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR:	Welch
	Nugent
ABSTAINED:	Diamond

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320 (1)-(4) and the Maine Rules of Civil Procedure, Rule 73 et seq.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320 (5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.